

BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268-0001

POSTAL RATE AND FEE CHANGES, 2006

Docket No. R2006-1

OBJECTION OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORIES OF DAVID POPKIN  
(DBP/USPS-373, 383-86, 388-98, 416)  
(August 3, 2006)

The United States Postal Service hereby objects to the following interrogatories of David B. Popkin, filed on July 24, 2006: DBP/USPS-373, 383-386, 388-98, 416.

Interrogatory **DBP/USPS-373** states:

DBP/USPS-373

Please refer to your response to Interrogatory DBP/USPS-144.

[a] Your response appears to be made with respect to the various philatelic products such as mugs and books rather than to the actual stamps. Please respond to the original interrogatory with respect to stamps themselves.

[b] Please advise any unwritten policies that exist.

The Postal Service objects to this interrogatory as improper follow up. Interrogatory 144 followed up on interrogatory 93, to which the Postal Service responded no when asked if it has “a policy for maximizing profit (receipts less expenses) ... from the sale of philatelic items and products.” Interrogatory 144 asked for the “current Postal Service policy with respect to the sale of philatelic stamps, items, and products.” The Postal Service answered that question fully.

Interrogatory 373 now *changes* the question from one concerning philatelic products to “actual stamps,” without defining the term. Interrogatory 144, had used the similarly undefined term “philatelic stamps,” which the Postal Service interpreted to mean such items as first-day covers and stamp design posters with a sample stamp included. Interrogatory asks a completely new question, i.e., what is the “current policy with respect to [maximizing the profit (receipts less expenses)] from the sale of ‘actual stamps.’”

Not only is this improper follow up, it makes little sense. Assuming that “actual stamps” means stamps used to send mail, there is no such policy, nor is there a need for one. To the extent that there ultimately is “profit” from the sale of an “actual” 39-cent stamp, for example, it is not set by “Postal Service policy,” but rather is a reflection of the markup level set in the ratemaking process for whatever subclass that stamp is used, and ultimately is determined by

the actual costs of providing that service at the time it is actually provided. Mr. Popkin is certainly familiar with this process. If there is something else he is seeking to know, he has not asked it.

Interrogatory **DBP/USPS-383** states:

DBP/USPS-383

Please refer to your response to Interrogatory DBP/USPS-168.

[a] Please confirm, or explain if you are unable to confirm, that one of the earlier self-adhesive 29-cent stamps [there were several different versions of the stamp with the denomination printed in different colors] was issued in a sheet of 17 stamps that initially sold for \$5.00 or 7¢ more than the face value of the stamps.

[b] Please advise why the price of the stamps noted in subpart a above had the price changed to the face value of \$4.93 including the applicability of 18 USC 1721.

Both parts of the question, which concerns a particular stamp issuance in the early to mid 1990s – over ten years ago, are completely irrelevant to the issues actually before the Commission in this case. Moreover, they are improper follow up. They make no particular reference to the answer provided and it is not clear from the purported follow up that Mr. Popkin has consulted the sources referenced in the answer. In addition, part (b) asks for a legal opinion and is not appropriate discovery.

Interrogatory **DBP/USPS-384** states:

DBP/USPS-384

Please refer to your response to Interrogatory DBP/USPS-169.

Please confirm, or explain if you are unable to confirm and also provide the requested information, that all of the items referred to in your response as a philatelic post card are listed in the latest version of The Postal Service Guide to U.S. Stamps and that all of the requested information is shown.

It is hard to understand why Mr. Popkin is asking the Postal Service to confirm whether all the information is shown in the Guide to U.S. Stamps when the previous answer referenced in his question stated clearly that both the Guide to U.S. Stamps AND the Postal Bulletin would be needed to do the research. This question, like the pair DPB/USPS-163 and 383 just discussed, gives the impression that it is another one of Mr. Popkin's "gotcha" questions, in which he has a particular circumstance in mind and may even know the answer, but asks a broadly worded question applicable to the full range of American postal history in the apparent hope of catching the Postal Service for providing a general answer that does not mention the particular exception or historical circumstance *of which is already aware*. No legitimate purpose

is served by this approach; indeed it is counterproductive for all concerned. Moreover, the subject matter of the interrogatory is so far removed from the issues before the Commission in this docket that the word irrelevant barely does justice.

Interrogatory **DBP/USPS-385** provides:

DBP/USPS-385. Please refer to your response to Interrogatory DBP/USPS-171.

[a] Please refer to DMM Section 604.1.2 and 604.1.3 and reanswer the original Interrogatory.

[b] May special handling and/or Certified Mail stamps be utilized to pay part or all of the fee for the special service [as opposed to paying the postage on the underlying mailpiece]?

[c] If not, please explain.

[d] Please confirm, or explain if you are unable to confirm, that special delivery no longer exists as a service.

[e] Please advise what refund is available to a person who has special delivery stamps that may no longer be used and if your response to subpart b above is no has special handling and/or Certified Mail stamps that may no longer be used.

The Postal Service objects to DBP/USPS-385 on grounds of relevance and materiality, and improper follow-up. The validity of certain special service stamps has no relevance to any issue in this proceeding. This interrogatory also exemplifies Mr. Popkin's use of discovery for "gotcha" purposes, rather than to produce evidence that will have any significant impact on the Recommended Decision. The middle of rate case discovery, when postal resources are focused on thousands of questions, is not the time to expect the Postal Service to research small issues that are not relevant to ratemaking issues. The Postal Service will revise its response to DBP/USPS-171, but objects to responding to DBP/USPS-385. The revised response to DBP/USPS-171 responds to Mr. Popkin's original question, and the detailed questions in parts (b-e), in addition to lacking relevance, are not proper questions following the July 14 discovery deadline, given the revised response to DBP/USPS-171.

Interrogatory **DBP/USPS-386** states:

DBP/USPS-386 Please refer to your response to Interrogatory DBP/USPS-173. It appears that the response made to this Interrogatory was misunderstood. The question that I have is what changes were made between the Appendix II of the EXFC Statement of Work that was utilized in Docket R2005-1 [even though the appendices were not furnished in that Docket] and the unredacted version of Appendix II that was provided in Docket R2006-1 Library Reference USPS-LR-L-134.

The Postal Service objects that this interrogatory as cumulative, asking for material already provided, and accordingly on the ground that it can lead to no more admissible evidence than has previously been provided; further, it does not constitute proper follow-up.

Interrogatory DBP/USPS-386 references interrogatory DBP/USPS-173, which is reproduced here in its entirety:

DBP/USPS-173. Please refer to your response to Interrogatory DBP/USPS-50. Please advise the changes that were made between this Appendix II and the Appendix II from the previous version of the Library Reference.

RESPONSE:

The previous version of USPS-LR-L-134 said, "Appendix II, *Description of First-Class Mail Piece Types (EXVC)*, has been redacted in its entirety (aside from the title) to minimize the potential for a person to identify test pieces." The revised version is unredacted.

Interrogatory DBP/USPS-173, in turn, references the response to DBP/USPS-50. That interrogatory and response state:

DBP/USPS-50. Please provide an unredacted version of USPS-LR-L-134 Appendix II.

RESPONSE:

Copy attached.

As such, the unrevised copy of Appendix II was provided in response to DBP/USPS-50.<sup>1</sup> The Popkin interrogatory that generated the filing of USPS-LR-L-134 was DBP/USPS-18, which states:

DBP/USPS-18. On May 9, 2005, the Postal Service filed USPS-LR-K-127 which contained the Statement of Work for Transit-Time Measurement System [TTMS] [sic] dated October 26, 2001. [a] Is this the latest version of this publication? [b] If not, provide the changes or latest version. [c] That Library Reference contained fourteen appendices which were not provided in the original Library Reference. Please either provide copies of these appendices or file them as a Library Reference.

RESPONSE:

a. No.

b. The most current Statement of Work is in USPS-LR-L-134.

c. The Appendices identified in USPS-LR-K-127 are also in USPS-LR-L-134. Confidential information, such as point to point volumes, piece specific or facility specific data, and information that might help an individual identify test pieces have been redacted.

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<sup>1</sup> Interrogatory DBP/USPS-386 incorrectly identifies the unredacted version of Appendix II as being in a revised USPS-LR-L-134 when, in fact, it was only provided in response to DBP/USPS-50. The Postal Service ignored this shortcoming in formulating the response to DBP/USPS-173.

Interrogatory DBP/USPS-18 quite explicitly requests the appendices to the Transit-Time Measurement System Statement of Work filed in USPS-LR-K-127/R2005-1; after some equivocation on the part of the Postal Service, that is exactly what was filed in response to DBP/USPS-50. Mr. Popkin's interrogatory DBP/USPS-386 accordingly now asks for a comparison of the unredacted attachment II to USPS-LR-K-127 to itself. Mr. Popkin can manage this comparison without the assistance of the Postal Service. Accordingly, the Postal Service objects to interrogatory DBP/USPS-386 as cumulative, improper follow-up, and unable to lead to the discovery of admissible evidence beyond what has already been provided.

Interrogatory **DBP/USPS-388** states:

DBP/USPS-388 Please refer to your response to Interrogatory DBP/USPS-177. I realize that the objective is to achieve a panel of ZIP Codes that will represent 90% of the First-Class Mail originating volume and 80% of the destinating volume.

- [a] Please explain why these values were chosen.
- [b] Please explain why EXFC does not test 100% of all First-Class Mail volume.
- [c] Since there are an infinite number of possible combinations of which ZIP Codes are in the program vs. which are not, please explain how they are chosen. For example, are remote areas more or less likely to be chosen? Are low volume areas more or less likely to be chosen?

The Postal Service objects to this interrogatory as being immaterial and accordingly not relevant to this docket, cumulate, and improper follow-up. In essence, Mr. Popkin does not like the response he was previously given and would prefer to examine "an infinite number of possible combinations" by which EXFC ZIP Codes could have been selected. As usual, Mr. Popkin has heavily mined his interest in EXFC in this docket, and the discussion or details he attempts to elicit here would not add materially to the record. Furthermore, there may be a burden associated with extracting the requested information, since Mr. Popkin has already been provided what was readily available in documentary form, so a further response would require interviewing postal officials.

Interrogatory **DBP/USPS-389** states:

DBP/USPS-389 Please refer to your response to Interrogatory DBP/USPS-182. Please confirm, or explain if you are unable to confirm, that the procedures indicated in subparts b through d of the original interrogatory have been instituted after the EXFC program started and are in place at many post offices throughout the country.

The Postal Service objects to this question as argumentative, not relevant or material, and not constituting proper follow-up. Review of interrogatory DBP/USPS-182, the foundation for DBP/USPS-389, illustrates these points:

**DBP/USPS-182.** Please confirm, or explain if you are unable to confirm, the following:

[a] Managers' compensation is affected by their EXFC scores.

[b] As a result of the EXFC Program, blue collection boxes are scanned upon collection.

[c] As a result of the EXFC Program, a missed or early collection of a blue collection box will result a new collection being made to collect the mail to allow for a timely dispatch.

[d] As a result of the EXFC Program, missent mail, either in the same office or in other offices, will result in specific efforts to ensure that the mail is delivered in a timely manner, even if it requires separate trips, rather than just putting it back into the system and allowing it to be delivered the following day.

**RESPONSE:**

[a]-[d] While compensation can be affected by EXFC scores, it is not clear that the described actions are caused by EXFC.

Nothing precluded Mr. Popkin from posing interrogatory DBP/USPS-389 before he saw the response to DBP/USPS-182. As such, interrogatory does not constitute proper follow-up; further, it just illustrates that Mr. Popkin would like to argue with the previous response, which cannot materially alter or improve the evidentiary record in this docket. He is still free, of course, to file testimony if he really wants to make his argument properly.

Interrogatory **DBP/USPS-390 and 391** state:

DBP/USPS-390 Please refer to your response to Interrogatory DBP/USPS-183. Please confirm, or explain if you are unable to confirm, that, in general, if a Postmaster and/or a member of his/her staff at an individual post office removes one or more collection boxes they may believe that they will have either an improved EXFC score and/or an easier time to achieve the EXFC score.

DBP/USPS-391 Please refer to your response to Interrogatory DBP/USPS-184. Please confirm, or explain if you are unable to confirm, that, in general, if a Postmaster and/or a member of his/her staff at an individual post office advances the collection time of one or more collection boxes they may believe that they will have either an improved EXFC score and/or an easier time to achieve the EXFC score.

The Postal Service objects to these interrogatories as argumentative, not relevant or material, not constituting proper follow-up, and calling for speculation. Mr. Popkin would again prefer to argue with a previous answer, or attempt to get a different answer; he is free to make

his arguments on brief or through the filing of testimony; a response to this interrogatory would not materially advance the evidentiary record or otherwise assist the Commission in recommending rates, fees or classifications.

Interrogatories **DBP/USPS-392-94** state:

DBP/USPS-392            Please refer to your response to Interrogatory DBP/USPS-186.

[a]     Please advise which specific words in the referenced response indicate the procedures that are utilized to ensure that the data provided by EXFC droppers is accurate,

### **B.3 Responsibilities**

Test pieces must be entered into the mail stream in unbanded bundles. Droppers must induct mail during the allowable drop window that begins on the scheduled date of induction at 5:00 AM and continues until 30 minutes before the last scheduled pick up time. The only circumstance that a dropper will be allowed to induct mail prior to the induction day is when the last pickup time on the Collection Box Management System (CBMS) listing (this is provided to the supplier by the USPS) is later than the last pickup time posted on the selected collection box. In this instance only, the supplier may change the induction date from the day of the scheduled induction to the next day.

Droppers must record the following information from Decal 55, Collection Box Label (see Appendix VII): collection box ID number, last pickup time, address and date label printed. Any discrepancy must be reported to the supplier. If a discrepancy occurs concerning the last pickup time, Decal 55 information will determine the last pickup time.

The supplier will incorporate the use of cellular phones or other appropriate technology within the induction process. This technology, used by droppers to relay information at induction, will be checked for accuracy.

Droppers must notify the supplier, via the technology referred to above, of actual drop times and locations of all inductions on the day of induction. The supplier must produce documentation to USPS in all cases where changes to the original schedule occur. The supplier must also provide a report showing the number of times the scheduled induction date differs from the actual induction date for each dropper in every Performance Cluster. Also, if there is more than a two hour deviation from the forecasted induction time scheduled, the supplier must inform the COR. Finally, the supplier must develop a quality check to identify possible confidentiality breaches for droppers and reporters.

[b]     If there are no independent methods that are utilized to determine that the data provided by EXFC droppers is accurate, so state.

[c]     Are there any changes between the wording shown above which is from USPS-LR-K-127 and the corresponding paragraph in the current USPS-LR-L-134?

[d]     If so, please advise the changes.

DBP/USPS-393            Please refer to your response to Interrogatory DBP/USPS-188.

[a]     Please advise which specific words in the referenced response indicate the procedures that are utilized to ensure that the data provided by EXFC reporters is accurate,

### C.3 Responsibilities

On the day each test mail piece is received, reporters are required to write the date of receipt on the portion of the test piece that includes the test piece identification. Reporters must call the supplier within 24 hours of receipt to report the test mail. After the reporters call in the receipt information, they must place all insert sheets back into the correct test envelopes. Reporters must retain EXFC test mail pieces for at least 60 days.

Reporters must notify the supplier if they are unable to receive mail for any reason. Such reasons may include vacation, illness and destruction of mailboxes. The reporter response rate must be at least 90%.

Boxholder reporters must supply the posted box mail available time to the supplier.

[b] If there are no independent methods that are utilized to determine that the data provided by EXFC reporters is accurate, so state.

[c] Are there any changes between the wording shown above which is from USPS-LR-K-127 and the corresponding paragraph in the current USPS-LR-L-134?

[d] If so, please advise the changes.

DBP/USPS-394

Please refer to your response to Interrogatory

DBP/USPS-189.

Section D.9 of the EXFC SOW requires that the supplier validate the accuracy of the reporter data and also indicates that the USPS may independently conduct tests of report accuracy as noted below:

#### D.9 Reporter Data Accuracy

The supplier must validate the accuracy of reporter data and the USPS COR must receive information confirming this validation process. The USPS may independently conduct tests of reporter accuracy. The supplier must fabricate sufficient additional test mail to test two reporters per postal quarter in each of the EXFC Performance Clusters upon USPS request. This test mail will not be used to measure service performance. The supplier shall also produce a report summarizing these results upon request.

[a] Please advise which specific words in the referenced response indicate the procedures that are utilized to ensure that the data provided by EXFC reporters is accurate,

[b] Please advise which specific words in the referenced response indicate the procedures that are utilized by the USPS to independently ensure that the data provided by EXFC reporters is accurate,



### C.3 Responsibilities

On the day each test mail piece is received, reporters are required to write the date of receipt on the portion of the test piece that includes the test piece identification. Reporters must call the supplier within 24 hours of receipt to report the test mail. After the reporters call in the receipt information, they must place all insert sheets back into the correct test envelopes. Reporters must retain EXFC test mail pieces for at least 60 days.

Reporters must notify the supplier if they are unable to receive mail for any reason. Such reasons may include vacation, illness and destruction of mailboxes. The reporter response rate must be at least 90%.

Boxholder reporters must supply the posted box mail available time to the supplier.

[c] If there are no independent methods that are utilized to determine that the data provided by EXFC reporters is accurate, so state.

The Postal Service objects to these interrogatories on the grounds that they are cumulative, argumentative, immaterial, irrelevant, and improper follow-up. As an example, DBP/USPS-292 references the response to DBP/USPS-186, wherein Mr. Popkin was referred to a previous response (DBP/USPS-63), which referred him to still another response (DBP/USPS-115/R2005-1), all of which deal with procedures followed by EXFC droppers and how their performance is monitored. All three questions now quote from the EXFC Statement of Work and request elaborations and further details, even asking that the Postal Service compare two documents and determine for him how they might differ. Mr. Popkin has been provided the materials available on this subject, but would apparently prefer to argue with the responses (passim), have them restated to his satisfaction (DFC/USPS-392), get feedback on his proposed monitoring (DBP/USPS-186), have the Statement of Work restated to his satisfaction, or otherwise trail this line of questioning on indefinitely. None of the requested responses will improve the record available to the Commission for making recommendations regarding proposed rates, fees and classifications. Since the period for discovery on the Postal Service direct case has expired, and since these materials have been available for years, these interrogatories cannot constitute proper follow-up.

Interrogatory **DBP/USPS-395** states:

DBP/USPS-395 Please refer to your response to Interrogatory DBP/USPS-190.

Your response stated:

**RESPONSE:**

While the Postal Service has not explored these postulated options, it is probably safe to confirm that they may be possible.

Please explain why it was necessary to not provide an unconditional confirmation of the postulated option.

Preliminarily, Mr. Popkin has not posed a proper question. The full text of the question and response of DBP/USPS-190 states:

**DBP/USPS-190.** Please refer to your response to Interrogatory DBP/USPS-69. Has this method ever been utilized by the United States Postal Service?

**RESPONSE:**

Your question is already answered in the response to DBP/USPS-69.

And interrogatory DBP/USPS-69 also deals with the EXFC Statement of Work:

**DBP/USPS-69.** With respect to the discussion number of days to deliver as shown in Section D.3 of USPS-LR-L-134, confirm, or explain if you are unable to confirm, that another possible way of counting the number of days to deliver could be to not eliminate non-delivery days if it would result in a delivery time of less than the delivery service standard. For example, overnight and 2-day service standard letters mailed on a Saturday and delivered on the following Monday would be counted as 1-day for the overnight letter and 2-days for the 2-day letter. Another example would be overnight, 2-day, and 3-day letters mailed on a Saturday prior to a Monday holiday and all three are delivered on Tuesday would be counted as 1-day for the overnight letter, 2-days for the 2-day letter, and 3-days for the 3-day letter.

**RESPONSE:**

While the Postal Service has not explored these postulated options, it is probably safe to confirm that they may be possible.

So in interrogatory DBP/USPS-395 actually follows upon a response filed on June 19, 2006. As such, it clearly is not proper follow-up. The Postal Service further objects to this interrogatory as argumentative, immaterial, irrelevant, and illogical. Quite evidently, Mr. Popkin does not like the response provided to DBP/USPS-69. But the argumentative tone of the question also fails to recognize that the very answer to his supposedly new interrogatory DBP/USPS-395 is already found in the June 19 response: the Postal Service chose not to confirm because it has not studied Mr. Popkin's proposed method of counting days. He remains free to criticize the existing method on brief, and to propose his own in testimony, but the current interrogatory warrants no response.

Interrogatory **DBP/USPS-396** constitutes a further attempt to argue how to count days:

DBP/USPS-396                      Please refer to your response to Interrogatory DBP/USPS-191.

This Interrogatory does not postulate any particular way of counting the days to delivery. It asks two specific questions and then asks for actual percentages for a recent period.

[a]              Please respond to the original Interrogatory.

[b]              With respect to subpart a of Interrogatory DBP/USPS-70, please confirm, or explain if you are unable to confirm, assuming no non-delivery days are

involved, that very little [probably well less than 10%] of the mail that is destined to a 2-day delivery area will be delivered overnight.

[c] With respect to subpart a of Interrogatory DBP/USPS-70, please confirm, or explain if you are unable to confirm, assuming no non-delivery days are involved, that a small amount [probably well less than 20%] of the mail that is destined to a 2-day delivery area will be delivered in 3 or more calendar days since it would not have achieved timely delivery.

[d] With respect to subpart a of Interrogatory DBP/USPS-70 and your response to subparts b and c of this Interrogatory, please confirm, or explain if you are unable to confirm, assuming no non-delivery days are involved, that at least 70% of the mail that is destined to a 2-day delivery area will be delivered in 2 days.

[e] Please confirm, or explain if you are unable to confirm, that the delivery standards are established that mail destined to the overnight area will be scheduled for delivery overnight and achieve it some 95% of the time.

[f] Please confirm, or explain if you are unable to confirm, that the delivery standards are established that mail destined to the 2-day delivery area will be scheduled for delivery on the second day assuming no non-delivery days and achieve it some 90% of the time.

[g] Please confirm, or explain if you are unable to confirm, that the delivery standards are established that mail destined to the 3-day delivery area will be scheduled for delivery on the third day assuming no non-delivery days and achieve it some 90% of the time.

[h] Please confirm, or explain if you are unable to confirm, that if mail was consistently being delivered on a day other than the service standards would indicate [assuming no non-delivery days are involved] then the service standards would be changed.

The Postal Service objects to the interrogatory as cumulative, immaterial, irrelevant, argumentative, improper follow-up, and based upon supposed facts that arise from his own speculation. The reference to the response to DBP/USPS-191 is itself a red herring since the question really tries to follow up on DBP/USPS-70. Both of these are reproduced in full below for convenience:

DBP/USPS-191. Please refer to your response to Interrogatory DBP/USPS-70. This interrogatory asks a specific question that can be answered regardless of the method of evaluating service performance. Please respond to the questions that were asked.

RESPONSE:

As reflected in the response to DBP/USPS-70, the Postal Service has "not explored evaluating service performance as postulated by this interrogatory." As such, it is unable either to confirm or disconfirm the postulates.

DBP/USPS-70.

[a] Please confirm, or explain if you are unable to confirm, that more than 50% of the 2-day service standard mail is delivered in 2-calendar days if a non-delivery day is not involved.

[b] Please confirm, or explain if you are unable to confirm, that more than 50% of the 3-day service standard mail is delivered in 3-calendar days if a non-delivery day is not involved.

[c] Please provide the actual percentages for a recent period.

RESPONSE:

The Postal Service, having not explored evaluating service performance as postulated by this interrogatory, is unable to confirm.

Mr. Popkin remains free to criticize the existing method on brief, and to propose his own in testimony, but the current interrogatory warrants no response.

Interrogatory **DBP/USPS-397** constitutes still another foray into how to count days along the lines of DBP/USPS-292-94:

DBP/USPS-397  
DBP/USPS-192.

Please refer to your response to Interrogatory

- [a] Please confirm, or explain if you are unable to confirm, that the method of counting days provided in Section D.3 of USPS-LR-L-134 will introduce a certain amount of inaccuracy due to the effect of non-delivery days.
- [b] Please confirm, or explain if you are unable to confirm, that the possible method of counting days provided in Interrogatory DBP/USPS-69 will introduce a certain amount of inaccuracy due to the effect of non-delivery days.
- [c] Please confirm that the response to subpart a above will be a greater inaccuracy than the response to subpart b above.

In its turn, interrogatory DBP/USPS-192 states:

DBP/USPS-192. Please refer to your response to Interrogatory DBP/USPS-71. This interrogatory asks a specific question that can be answered regardless of the method of evaluating service performance. Please respond to the questions that were asked.

RESPONSE:

As reflected in the response to DBP/USPS-71, "The Postal Service, having not explored evaluating service performance as postulated by this interrogatory, is unable to confirm." Nor is the Postal Service able to disconfirm the postulate.

The Postal Service objects to interrogatory CBP/USPS-397 on the grounds that it is argumentative, immaterial, irrelevant, cumulative, and improper follow-up. Mr. Popkin has been involved in numerous dockets wherein he has explored how to count. More such discussion in this docket will not enable any better recommendations by the Commission of proposed rates, fees and classifications.

Interrogatory **DBP/USPS-398** states:

DBP/USPS-398 Please refer to your response to Interrogatory DBP/USPS-193.

- [a] Please confirm that the page reference should be 14 and not 13.
- [b] A response was not received to subpart b of Interrogatory DBP/USPS-193. Please respond.
- [c] Does IBM select boxes remotely in a manual method or do they have a computer program to effect the random selection.
- [d] Please discuss the method utilized as provide in the response to subpart c above.

Referenced interrogatory DBP/USPS-193 states, in full:

DBP/USPS-193. Please refer to your response to Interrogatory DBP/USPS-76.

- [a] Please advise how IBM selects the specific boxes to utilize for their droppers.
- [b] Does the CPMS database allow for downloading of data by IBM so that they can utilize it in their programs for random selection? Please explain and discuss.
- [c] Does the CPMS database allow for random selection of collection boxes for IBM to utilize for droppers?

RESPONSE:

See section III.D.1.1 (page 13) of the TTMS SOW in USPS-LR-L-134. IBM is required to select specific boxes randomly. Access to CPMS data also implies that such data can be used to effectuate a random selection.

The Postal Service objects to interrogatory DBP/USPS-398 on the grounds that it is argumentative, cumulative irrelevant and immaterial, and improper followup.<sup>2</sup> The response referenced in DBP/USPS-398 already answers the questions about the contractor making random selections using CPMS data notwithstanding the attempt in DBP/USPS-398 to pretend otherwise.

Interrogatory **DBP/USPS-416** states:

DBP/USPS-416 Please refer to your response to Interrogatory DBP/USPS-181 subpart b. What I am interested in are the various procedures that have been implemented to raise the EXFC for 84% in 1992 to the score of 95% in 2006. Items such as the following are the types of items that I would consider to be the type of response:

- [1] Blue collection boxes are scanned on collection
- [2] Missed collection boxes are collected after discovery of being missed
- [3] Missent mail is processed for delivery on the same day
- [4] Collection times are advanced to allow for an earlier arrival at the plant
- [5] The number of blue collection boxes has been reduced
- [6] Checks are made to ensure all mail collected is dispatched to the plant

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<sup>2</sup> Part (a) of the interrogatory does point out a mistaken page reference. The Postal Service is prepared to stipulate as much or to correct the previous response.

[7] Service Standards have been evaluated and changed when appropriate  
Please provide the desired information.

Interrogatory DBP/USPS-181 states, in full:

DBP/USPS-181.

[a] Does the Postal Service believe that efforts made to improve the EXFC scores have resulted in improved scores and First-Class Mail performance?

[b] If not, why not? If so, please discuss and explain the specific methods that have been utilized to improve First-Class Mail performance.

RESPONSE:

a. Yes, the USPS believes emphasis on EXFC scores has improved scores and First-Class Mail performance. Overnight performance has improved from 84 percent at the inception of EXFC in 1992 to the score of 95 percent in 2006.

b. The question is too broad to permit a concise or detailed response. The existence of EXFC means that employees get feedback on the extent to which single-piece First-Class Mail service standards are met. Low scores indicate a need for further analysis to determine how scores can be improved; that analysis can lead to identification and diminution of problems. If initial efforts to improve a given situation prove unavailing, the EXFC scores inform the involved employees that more or different efforts are still necessary. EXFC scores accordingly enable a focus by all employees on improving service.

The Postal Service objects to interrogatory DBP/USPS-416 on the grounds that it is argumentative, cumulative, irrelevant and immaterial, and improper follow-up. Mr. Popkin has been following the Postal Service through Postal Rate Commission proceedings otherwise for the period in which EXFC has been in effect, and he has certainly showed the capability to ask questions about EXFC. In DBP/USPS-181 he asked a very broad question and was provided a broad response; now he apparently wants further details that would in no meaningful respect lead to or serve the Commission in making recommendations regarding rates, fees, or classifications. Moreover, there is no sense in which DBP/USPS-416 was made possible through the response to DBP/USPS-181, so the former cannot constitute proper follow-up. Some of the interrogatory's parts suggest that Mr. Popkin would prefer to testify about the consequences of EXFC which he remains completely free to do.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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